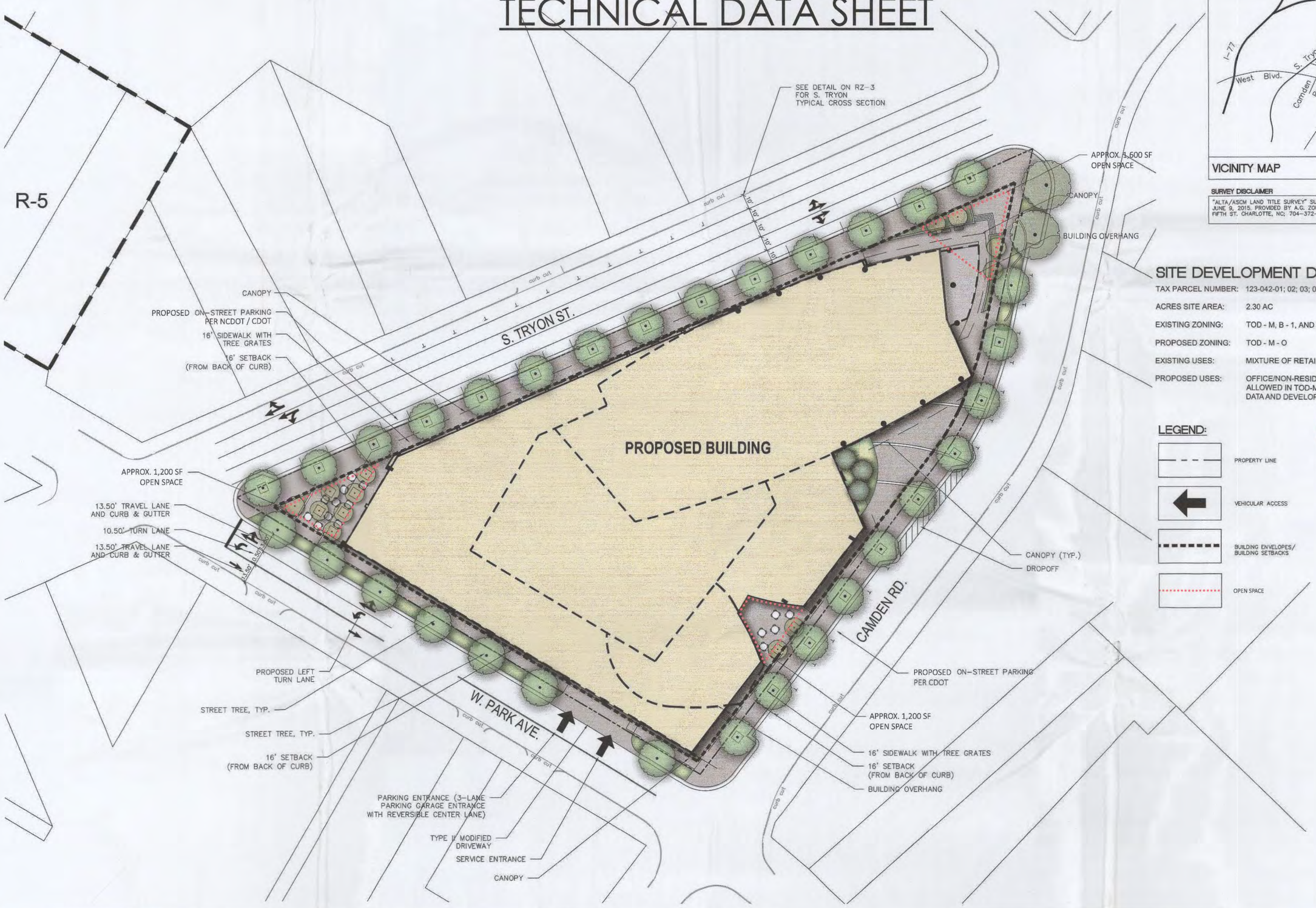
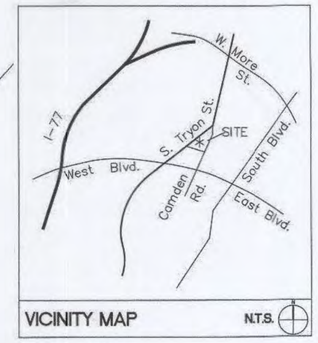
TECHNICAL DATA SHEET





SURVEY DISCLAIMER

"ALTA/ASCM LAND TITLE SURVEY" SURVEY ISSUE DATE JUNE 9, 2015. PROVIDED BY A.G. ZOUTEWELLE; 1418 EAST FIFTH ST. CHARLOTTE, NC; 704-372-9444

SITE DEVELOPMENT DATA

TAX PARCEL NUMBER:	123-042-01; 02; 03; 04; 05; 07; 08; 09; 10; 11; 12; 13
ACRES SITE AREA:	2.30 AC
EXISTING ZONING:	TOD - M, B - 1, AND MUDD - O
PROPOSED ZONING:	TOD - M - O
EXISTING USES:	MIXTURE OF RETAIL, OFFICE, PARKING
PROPOSED USES:	OFFICE/NON-RESIDENTIAL USES AS ALLOWED IN TOD-M. SEE SITE DEVELOPMENT DATA AND DEVELOPMENT STANDARDS ON RZ-2.

LEGEND:

- PROPERTY LINE
- VEHICULAR ACCESS
- BUILDING ENVELOPES/ BUILDING SETBACKS
- OPEN SPACE

APPROVED BY CITY COUNCIL
JAN 19 2016

RZ-1

PET#2015-128

DUDA | PAINE ARCHITECTS

ColeJenest & Stone

DIMENSIONAL PLACE - CHARLOTTE, NC

Issued: 09/09/2015
Revised: 11/13/2015
Revised: 12/23/2015

Cousins

DEVELOPMENT STANDARDS

SITE DEVELOPMENT DATA:

--ACREAGE: ± 2.30 ACRES
--TAX PARCEL #: 123-042-01; 02; 03; 04; 05; 07; 08; 09; 10; 11; 12 AND 13
--EXISTING ZONING: TOD-M; B-1; AND MUDD-O
--PROPOSED ZONING: TOD-M-O
--EXISTING USES: MIXTURE OF RETAIL, OFFICE AND PARKING
--PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE TOD-M-O ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED BELOW IN SECTION 3).
--MAXIMUM DEVELOPMENT LEVELS: UP TO 285,000 SQUARE FEET OF GROSS FLOOR AREA (AS DEFINED IN SECTION 3 BELOW) OF OFFICE USES, WHICH SHALL INCLUDE VERTICALLY INTEGRATED GROUND FLOOR RETAIL, RESTAURANT, AND/OR PERSONAL SERVICES USES IN AN AMOUNT NOT TO EXCEED 25,000 SQUARE FEET OF GROSS FLOOR AREA OF THE TOTAL 285,000 SQUARE FEET OF USES, AND SUCH OTHER ACCESSORY USES PERMITTED IN THE TOD-M-O ZONING CLASSIFICATION, INCLUDING, WITHOUT LIMITATION CAFETERIA SPACE, AUDITORIUM SPACE AND SIMILAR USES, ALL AS MORE PARTICULARLY DESCRIBED BELOW IN SECTION 3.

--MAXIMUM BUILDING HEIGHT: A MAXIMUM BUILDING HEIGHT OF UP TO 36 FEET HIGHER THAN THE 120 FOOT BUILDING HEIGHT ALLOWED IN THE TOD-M-O DISTRICT, AS MEASURED FROM AVERAGE GRADE AT THE BASE OF THE BUILDING ALONG EACH OF S. TYRON STREET, W. PARK AVENUE AND CAMDEN ROAD AND AS ALLOWED BY THE OPTIONAL PROVISIONS SET FORTH BELOW, WHICH, AS SHOWN ON SHEET RZ-3, REFLECTS A SCALE BACK OF THE HEIGHT OF THE BUILDING FROM THE WILMORE RESIDENTIAL ZONING LOCATED DOWN W. PARK AVENUE CONTEMPLATED TO INCLUDE: (I) 1½-2 FLOORS OF UNDERGROUND PARKING & 4½-5 FLOORS OF ABOVE GROUND PARKING CLOSEST TO W. PARK AVENUE; AND (II) 7 FLOORS OF OFFICE USES ABOVE ONE GROUND LEVEL FLOOR OF NON-RESIDENTIAL USES & 2 FLOORS OF UNDERGROUND PARKING, IN THE PORTION OF THE BUILDING CLOSEST TO THE INTERSECTION OF S. TRYON STREET AND CAMDEN ROAD. THE MAXIMUM BUILDING HEIGHT AS SHOWN ON SHEET RZ-3 ALSO SHOWS THE MAXIMUM HEIGHT OF THE BUILDING IN CERTAIN AREAS IN THE CONTEXT OF THE RESIDENTIAL HEIGHT PLANE REQUIREMENTS.

--PARKING: AS REQUIRED BY THE ORDINANCE FOR THE TOD-M-O ZONING CLASSIFICATION.

1. GENERAL PROVISIONS:

a. **SITE LOCATION**. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND OTHER GRAPHICS SET FORTH ON ATTACHED RZ SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY COUSINS PROPERTIES ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF AN OFFICE BASED DEVELOPMENT ON AN APPROXIMATELY 2.30 ACRE SITE LOCATED AT THE INTERSECTION OF S. TRYON STREET, CAMDEN ROAD AND W. PARK AVENUE (THE "SITE").

b. **ZONING DISTRICTS/ORDINANCE**. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE TOD-M-O ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.

c. **GRAPHICS AND ALTERATIONS/MODIFICATIONS**. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, BUILDING MATERIALS, STREETSCAPE PERSPECTIVES, DRIVEWAYS, STREETS, AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

(i) MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN, SUCH AS MINOR MODIFICATIONS TO THE CONFIGURATIONS OF THE STREET DIMENSIONS AND THE LIKE AS LONG AS THE MODIFICATIONS MAINTAIN THE GENERAL BUILDING/PARKING ORIENTATION AND CHARACTER OF THE DEVELOPMENT GENERALLY DEPICTED ON THE REZONING PLAN; OR

(ii) MODIFICATIONS TO MOVE STRUCTURES GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTIES IN A RESIDENTIAL DISTRICT OR ABUTTING RESIDENTIAL USE BUT NO CLOSER THAN THE "EXTERNAL BUILDING LINE" (IN THIS CASE THE EXTERNAL SETBACKS, REAR/SIDE YARDS OR BUFFER AREAS, IF APPLICABLE) INDICATED ON SHEET RZ-1; OR

(iii) MODIFICATIONS TO ALLOW MINOR INCREASES IN THE MASS OF THE BUILDING THAT DOES NOT MATERIALLY CHANGE THE DESIGN INTENT DEPICTED ON OR DESCRIBED IN THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

d. **NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY**. NOTWITHSTANDING THE NUMBER OF BUILDINGS SHOWN ON THE REZONING PLAN, THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED ONE (1). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED ON THE SITE AS THE ACCESSORY STRUCTURE/BUILDING.

e. **FIVE YEAR VESTED RIGHTS.** PURSUANT TO THE PROVISIONS OF SECTION 1.110 OF THE ORDINANCE AND N.C.G.S. SECTION 160A-385.1, DUE TO THE NATURE OF THE DEVELOPMENT AND/OR REDEVELOPMENT, THE LEVEL OF INVESTMENT, THE TIMING OF DEVELOPMENT AND/OR REDEVELOPMENT AND CERTAIN INFRASTRUCTURE IMPROVEMENTS, ECONOMIC CYCLES AND MARKET CONDITIONS, THIS PETITION INCLUDES VESTING OF THE APPROVED REZONING PLAN AND CONDITIONAL ZONING DISTRICTS ASSOCIATED WITH THE PETITION FOR A FIVE (5) YEAR PERIOD, BUT SUCH PROVISIONS SHALL NOT BE DEEMED A LIMITATION ON ANY OTHER VESTED RIGHTS WHETHER AT COMMON LAW OR OTHERWISE.

f. **GROSS FLOOR AREA.** WHEN DETERMINING THE MAXIMUM DEVELOPMENT LEVELS SET FORTH IN THIS REZONING PLAN, GROSS FLOOR AREA AS DEFINED IN THE ORDINANCE SHALL EXCLUDE ANY SURFACE OR STRUCTURED PARKING FACILITIES (INCLUDING, WITHOUT LIMITATION, CORRIDORS AND ELEVATORS WITHIN SUCH FACILITIES), ENCLOSED LOADING DOCK/SERVICE AREAS, AND OUTDOOR DINING AND GATHERING AREAS WHETHER ON THE ROOF OF THE BUILDING OR AT STREET LEVEL (SEE ALSO SECTION 3.G. BELOW).

g. **PERSONAL SERVICES.** PERSONAL SERVICE USES WILL BE DEFINED AS USES THAT PRIMARILY PROVIDE OR SELL A SERVICE TO CUSTOMERS VERSUS THE SELLING OF GOODS. A PERSONAL SERVICE USE MAY ALSO SELL PRODUCTS OR MERCHANDISED BUT THE SALE OF PRODUCTS AND MERCHANDISE IS TYPICALLY ANCILLARY. EXAMPLES OF PERSONAL SERVICE USES INCLUDE BUT ARE NOT LIMITED TO: BEAUTY SALONS AND BARBER SHOPS, SPA'S, YOGA AND EXERCISE STUDIOS, FITNESS AND WELLNESS FACILITIES, NAIL SALONS, MARTIAL ART TRAINING STUDIOS, LAUNDRIES AND DRY CLEANING ESTABLISHMENTS, LOCKSMITHS, FUNERAL HOMES AND ALIKE).

2. OPTIONAL PROVISIONS.

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

a. **MAXIMUM BUILDING HEIGHT WITHIN TOD-M.** TO ALLOW THE HEIGHT OF THE PRINCIPAL BUILDING CONSTRUCTED ON THE SITE TO EXCEED THE ALLOWED 120 FOOT MAXIMUM BUILDING HEIGHT OF THE TOD-M ZONING DISTRICT BY 36 FEET, AS MEASURED FROM THE AVERAGE GRADE AT THE BASE OF THE BUILDING ALONG EACH OF S. TRYON STREET, W. PARK AVENUE AND CAMDEN ROAD AND PER SECTION 2.C. BELOW. AS SHOWN ON SHEET RZ-3, THIS REFLECTS A SCALE BACK OF THE HEIGHT OF THE BUILDING FROM THE WILMORE RESIDENTIAL ZONING LOCATED DOWN W. PARK AVENUE CONTEMPLATED TO INCLUDE: (I) 1½-2 FLOORS OF UNDERGROUND PARKING & 4½ FLOORS OF ABOVE GROUND PARKING CLOSEST TO W. PARK AVENUE; AND (II) 7 FLOORS OF OFFICE USES ABOVE ONE GROUND LEVEL FLOOR OF NON-RESIDENTIAL USES & 2 FLOORS OF UNDERGROUND PARKING, IN THE PORTION OF THE BUILDING CLOSEST TO THE INTERSECTION OF S. TRYON STREET AND CAMDEN ROAD.

b. **BUILDING HEIGHT FROM SINGLE-FAMILY RESIDENTIAL ZONING.** TO ALLOW PORTIONS OF THE PROPOSED BUILDING TO EXCEED THE ALLOWED BUILDING HEIGHT FROM SINGLE-FAMILY RESIDENTIAL ZONING, AS MEASURED FROM THE SHORTEST DISTANCE BETWEEN EXISTING SINGLE-FAMILY ZONING AND THE BUILDING EDGES, IN THE MANNER SET FORTH ON SHEET RZ-3. AS SHOWN ON SHEET RZ-3, AT BUILDING LOCATION "C," WHICH IS THE LOCATION OF THE GREATEST VARIANCE ABOVE THE RESIDENTIAL HEIGHT PLANE, (I) THE ALLOWABLE HEIGHT DUE TO PROXIMITY TO RESIDENTIAL ZONING IS ±71 FEET, AND (II) THE VARIANCE REQUESTED IS 86 FEET. FURTHERMORE, RZ-3 REFLECTS A SCALE BACK OF THE HEIGHT OF BUILDING FROM WILMORE RESIDENTIAL ZONING LOCATED DOWN W. PARK AVENUE CONTEMPLATED TO INCLUDE: (I) 1½ FLOORS OF UNDERGROUND PARKING & 4½ FLOORS OF ABOVE GROUND PARKING CLOSEST TO W. PARK AVENUE; AND (II) 7 FLOORS OF OFFICE USES ABOVE ONE GROUND LEVEL FLOOR OF NON-RESIDENTIAL USES & 2 FLOORS OF UNDERGROUND PARKING, IN THE PORTION OF THE BUILDING CLOSEST TO THE INTERSECTION OF S. TRYON STREET AND CAMDEN ROAD.

c. **MECHANICAL EQUIPMENT SCREEN.** IN ORDER TO ENSURE COMPLIANCE WITH APPLICABLE ORDINANCE PROVISIONS, IF NEEDED, TO ALLOW ROOF TOP MECHANICAL EQUIPMENT SCREENS LOCATED ON THE ROOF OF THE BUILDING, AND WHEN LOCATED A MINIMUM OF 30 FEET AWAY FROM THE EDGE OF THE BUILDING'S PARAPET WALL (I.E. LOCATED AWAY FROM THE BUILDING'S EXTERIOR BUILDING FACE AND TOWARD THE CENTER OF THE ROOF) TO NOT BE USED WHEN DETERMINING ALLOWED BUILDING HEIGHT PER THE OPTIONAL PROVISIONS 2.A. AND B. ABOVE AND OTHERWISE WHEN DETERMINING ALLOWED BUILDING HEIGHT UNDER THIS REZONING PLAN.

d. **NON-STRUCTURED PARKING USES.** TO OPT OUT OF SECTION 9.1208(6)(L)(1) OF THE ORDINANCE BY ALLOWING LESS THAN 50% OF THE LINEAR STREET LEVEL FRONTAGE OF THE PARKING STRUCTURE ON THE WEST PARK AVENUE TO BE DEVOTED TO ACTIVE USES, AS GENERALLY DEPICTED ON SHEETS RZ-1 AND RZ-5.

e. **DETACHED & WALL SIGNS.** TO ALLOW PETITIONER, AT ITS DISCRETION, TO INSTALL EITHER (I) 2 GROUND MOUNTED DETACHED SIGNS ALONG 2 OF THE 3 PUBLIC STREET FRONTAGES OR (II) 1 DETACHED GROUND MOUNTED SIGN AND 1 WALL SIGN ABOVE THE FOURTH FLOOR OF THE BUILDING (IN ADDITION TO OTHER WALL SIGNS PERMITTED BY THE ORDINANCE). EACH SUCH DETACHED GROUND MOUNTED SIGN SHALL NOT EXCEED A HEIGHT OF 6 FEET AND SHALL CONTAIN NO MORE THAN 50 SQUARE FEET OF SIGN AREA. THE ABOVE-REFERENCED WALL SIGN LOCATED ABOVE THE FOURTH FLOOR SHALL HAVE NO MORE THAN 200 SQUARE FEET OF SIGN SURFACE AREA.

NOTE: *THE OPTIONAL PROVISIONS REGARDING SIGNS ARE ADDITIONS/MODIFICATIONS TO THE STANDARDS FOR SIGNS IN THE TOD DISTRICT AND ARE TO BE USED WITH THE REMAINDER OF TOD STANDARDS FOR SIGNS NOT MODIFIED BY THESE OPTIONAL PROVISIONS.*

f. **GROSS FLOOR AREA.** TO ALLOW THE CLARIFICATION REGARDING THE TERM "GROSS FLOOR AREA" IN THE CONTEXT OF MAXIMUM DEVELOPMENT LEVELS IN 1.F ABOVE TO BE USED AND APPLIED IN THE MANNER DESCRIBED BELOW IN SECTION 3.

g. **UNDERGROUND STORM WATER DETENTION/INTERCEPTOR FACILITIES.** TO ALLOW, TO THE EXTENT NEEDED FOR COMPLIANCE PURPOSES, STORM WATER/WATER QUALITY MANAGEMENT FACILITIES AND SANITARY SEWER GREASE TRAP/INTERCEPTOR FACILITIES TO BE LOCATED UNDERGROUND WITHIN THE SETBACKS ASSOCIATED WITH THE DEVELOPMENT (BUT OUTSIDE THE RIGHT-OF-WAY). ACCESS TO THESE FACILITIES MAY BE PROVIDED AT GRADE WITHIN THE SETBACK.

3. PERMITTED USES & DEVELOPMENT AREA LIMITATIONS:

GENERAL. *IN ADDITION TO OTHER DEVELOPMENT PERMITTED ON THE SITE AS DESCRIBED IN THIS SECTION 3, THE PRINCIPAL BUILDING CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 285,000 SQUARE FEET OF GROSS FLOOR AREA OF OFFICE USES, WHICH SHALL INCLUDE VERTICALLY INTEGRATED GROUND FLOOR RETAIL, RESTAURANT/EATING DRINKING ENTERTAINMENT ESTABLISHMENTS (EDEE) AND/OR PERSONAL SERVICES USES (SEE DEFINITION IN SECTION 1.G. ABOVE) IN AN AMOUNT NOT TO EXCEED 25,000 SQUARE FEET OF GROSS FLOOR AREA OF THE TOTAL 285,000 SQUARE FEET OF USES, AND SUCH OTHER ACCESSORY USES PERMITTED IN THE TOD-M-O ZONING CLASSIFICATION, INCLUDING, WITHOUT LIMITATION CAFETERIA SPACE, FITNESS/WELLNESS SPACE, AUDITORIUM SPACE AND SIMILAR USES.*

b. ***RETAIL, RESTAURANT AND PERSONAL SERVICES USES.*** *AS SET FORTH ON SHEET RZ-5 (UPDATED SITE PLAN-GROUND FLOOR USES) AND SHEET RZ-6 (LOBBY ACCESS EMPHASIS), THE REFERENCE TO "PROPOSED RETAIL" FOR THOSE AREAS DESIGNATED IN ORANGE/MAUVE COLOR SHALL INCLUDE RETAIL, RESTAURANT/EDEE AND/OR PERSONAL SERVICES USES. BUILDING CONSTRUCTION FOR SUCH "PROPOSED RETAIL" AREAS WILL PROVIDE SPACE PROGRAMMING TO ALLOW FOR SUCH RETAIL, RESTAURANT/EDEE, AND/OR PERSONAL SERVICES USES IN AN AGGREGATE OF A MINIMUM OF 15,500 SQUARE FEET, SUBJECT, HOWEVER, AFTER PETITIONER EXERCISES DILIGENT LEASING EFFORTS AS DESCRIBED BELOW IN SECTION 3.C., TO A REDUCTION IN SUCH AMOUNT, AS APPLICABLE, PURSUANT TO THE PROVISIONS OF SECTION 3.C. BELOW DEALING WITH USE OF THE TRYON RETAIL SPACE FOR ACTIVE USES ASSOCIATED WITH THE ACTIVITIES OF THE OFFICE TENANT(S) WITHIN THE BUILDING.*

S. TRYON STREET RETAIL LEASING COMMITMENT. *AS SET FORTH ON SHEET RZ-5, THAT CERTAIN GROUND FLOOR SPACE LOCATED ALONG S. TRYON STREET NEAR THE INTERSECTION OF S. TRYON STREET AND CAMDEN ROAD DESIGNATED AS "PROPOSED RETAIL" MAY BE USED FOR RETAIL, RESTAURANT/EDEE AND/OR PERSONAL SERVICES USES (THE "TRYON RETAIL SPACE"). PETITIONER COMMITS TO USE DILIGENT GOOD FAITH EFFORTS TO LEASE THE TRYON RETAIL SPACE FOR RETAIL, RESTAURANT/EDEE AND/OR PERSONAL SERVICES USES, AS DEMONSTRATED BY ACTIVE LEASING/MARKETING OF THE TRYON RETAIL SPACE FOR NOT LESS THAN 18 MONTHS FROM RECEIPT OF THE BUILDING PERMIT FOR THE BUILDING ("DILIGENT LEASING EFFORTS"). PETITIONER FURTHER COMMITS TO INSTALL INFRASTRUCTURE AS PART OF THE BASE BUILDING CONSTRUCTION THAT WILL ACCOMMODATE SUCH RETAIL/RESTAURANT/EDEE RELATED EQUIPMENT AS GREASE TRAP CONNECTIONS, INTAKE & EXHAUST PROVISIONS FOR POSSIBLE KITCHEN HOODS AND FIRE PROTECTION SYSTEMS. IF, HOWEVER, AFTER EXERCISING DILIGENT LEASING EFFORTS, THE PETITIONER IS UNABLE TO LEASE ALL OR A PORTION OF THE TRYON RETAIL SPACE FOR SUCH USES, IN ORDER TO PROMOTE ACTIVE STREET LEVEL USES THAT ENHANCE THE PEDESTRIAN EXPERIENCE AND VISUAL INTEREST ALONG S. TRYON STREET, THE PETITIONER MAY HAVE ALL OR PART OF THE TRYON RETAIL SPACE OCCUPIED FOR ACTIVE USES ASSOCIATED WITH THE ACTIVITIES OF THE OFFICE TENANT(S) WITHIN THE BUILDING. SUCH ACTIVE USES SHALL BE VISIBLE FROM VIEW FROM THE STREETSCAPE IMPROVEMENTS ALONG S. TRYON STREET.*

4. TRANSPORTATION IMPROVEMENTS AND ACCESS:

I. PROPOSED IMPROVEMENTS:

THE PETITIONER PLANS TO PROVIDE OR CAUSE TO BE PROVIDED ON ITS OWN OR IN COOPERATION WITH OTHER PARTIES WHO MAY IMPLEMENT PORTIONS OF THE IMPROVEMENTS, THE IMPROVEMENTS SET FORTH BELOW TO BENEFIT OVERALL TRAFFIC PATTERNS THROUGHOUT THE AREA IN ACCORDANCE WITH THE FOLLOWING IMPLEMENTATION PROVISIONS:

a. **IMPROVEMENTS TO W. PARK AVENUE.** AS REFLECTED ON SHEET RZ-1, INSTALL A WESTBOUND LEFT TURN LANE ON W. PARK AVENUE.

II. STANDARDS, PHASING AND OTHER PROVISIONS.

a. **CDOT STANDARDS.** ALL OF THE FOREGOING PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND AS TO S. TRYON STREET NCDOT. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE SOUTH END AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

b. **ALTERNATIVE IMPROVEMENTS.** CHANGES TO THE ABOVE REFERENCED ROADWAY IMPROVEMENT(S) CAN BE APPROVED THROUGH THE ADMINISTRATIVE AMENDMENT PROCESS UPON THE DETERMINATION AND MUTUAL AGREEMENT OF PETITIONER, CDOT, PLANNING DIRECTOR, AND AS APPLICABLE, NCDOT, PROVIDED, HOWEVER, THE PROPOSED ALTERNATE TRANSPORTATION IMPROVEMENTS PROVIDE (IN THE AGGREGATE) COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS IDENTIFIED IN THIS PETITION.

III. ACCESS & STREETS.

a. VEHICULAR ACCESS TO THE SITE WILL BE FROM W. PARK AVENUE, ALL AS GENERALLY DEPICTED ON THE REZONING PLAN AND SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.

b. THE EXACT ALIGNMENT, DIMENSIONS AND LOCATIONS OF THE ACCESS POINTS TO THE SITE AND THE DRIVEWAYS ON THE SITE MAY BE MODIFIED FROM THE ELEMENTS SHOWN ON THE REZONING PLAN PROVIDED THAT THE OVERALL DESIGN INTENT IS NOT MATERIALLY ALTERED AND REQUIREMENTS DESCRIBED IN THIS SECTION 4.III. ARE MET.

5. PARKING AREAS, ACCESS AND CIRCULATION DESIGN GUIDELINES.

a. BUILDING MATERIALS ASSOCIATED WITH FACADES ON PARKING STRUCTURES THAT ARE GENERALLY COMPATIBLE IN QUALITY WITH ADJOINING BUILDINGS, PLAZAS AND STREETSCAPES WILL BE CREATED, TAKING INTO CONSIDERATION DIFFERENCES ASSOCIATED WITH PARKING STRUCTURES.

b. PARKING STRUCTURES SHALL BE DESIGNED TO MATERIALLY SCREEN THE VIEW OF PARKED CARS FROM ADJACENT PUBLIC OR PRIVATE STREETS OR PUBLICLY ACCESSIBLE OPEN SPACES OR PLAZAS. SCREENING OF CARS ON THE GROUND LEVEL WILL BE ACCOMPLISHED BY USING DECORATIVE SCREENING AND CAN BE SUPPLEMENTED BY LANDSCAPING AND ON EXPOSED UPPER LEVELS WILL BE ACCOMPLISHED BY USING DECORATIVE SCREENING.

c. ON-SITE LOADING DOCKS AND WASTE AREAS SHALL BE SEPARATED AND/OR SCREENED FROM VIEW AT GROUND LEVEL FROM PRIMARY BUILDING ENTRANCES.

d. THE ATTACHED ILLUSTRATIVE/CONCEPTUAL BUILDING ELEVATIONS, STREETSCAPE PERSPECTIVES AND GRAPHICS ARE INCLUDED TO REFLECT THE DESIGN INTENT AND QUALITY OF THE BUILDING THAT MAY BE CONSTRUCTED ON THE SITE (THE ACTUAL BUILDING CONSTRUCTED ON THE SITE MAY VARY FROM THESE ILLUSTRATIONS IN THE MANNER SET FORTH IN THE ATTACHED APPLICABLE RZ SHEET AND THESE DEVELOPMENT STANDARDS).

e. RETAIL, RESTAURANTS AND PERSONAL SERVICES USES LOCATED ALONG CAMDEN ROAD WILL BE SETBACK AN ADDITIONAL FIVE (5) FEET FROM THE 16 FOOT SETBACK, FOR A MINIMUM SETBACK OF 21 FEET AS MEASURED FROM THE BACK OF CURB.

f. THE ON-STREET PARKING, BIKE LANE, OTHER STREETSCAPE CROSS-SECTION ITEMS AND RE-CONFIGURATION OF TRAVEL LANES ALONG S. TRYON STREET SHALL BE SUBJECT TO APPROVAL OF NCDOT.

6. PEDESTRIAN ACCESS AND CIRCULATION DESIGN, OPEN SPACE AND DESIGN GUIDELINES.

a. ALONG THE SITE'S STREETS, THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT LINKS THE BUILDING(S), PARKING AREAS AND AREAS OF INTEREST ON THE SITE WITH ONE ANOTHER BY WAY OF LINKS TO SIDEWALKS ALONG THE ABUTTING PUBLIC STREETS AND/OR OTHER PEDESTRIAN FEATURES. THE MINIMUM WIDTH FOR THESE INTERNAL SIDEWALKS WILL BE EIGHT (8) FEET. STREET TREES WILL ALSO BE PROVIDED ALONG THE SITE'S ADJACENT PUBLIC STREETS.

b. PUBLIC OPEN SPACE AREAS IN EXCESS OF THE AMOUNT REQUIRED BY THE TOD-M ZONING DISTRICT WILL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN AND SAID OPEN SPACE AREAS SHALL CONTAIN IN THE AGGREGATE NO LESS THAN 4,000 SQUARE FEET. THESE PUBLIC OPEN SPACE AREAS WILL CONTAIN SEATING AREAS AND LANDSCAPED AREAS. ADDITIONAL ELEMENTS/AMENITIES MAY ALSO BE PROVIDED WITHIN THE PUBLIC OPEN SPACE AREAS SUCH AS BUT NOT LIMITED TO: ART WORK, WATER FEATURES, TRELLISES, GAZEBOS, LIGHTING (INCLUDING SPECIALTY LIGHTING) AND THE LIKE. EACH PUBLIC OPEN SPACE WILL BE DESIGNED TO MEET ACCESSIBILITY STANDARDS.

c. PURSUANT TO SECTION 3.C., TO THE EXTENT THAT ALL OR A PORTION OF THE TRYON RETAIL SPACE IS LEASED FOR THE PERMITTED USES, A MINIMUM OF ONE DOOR SHALL BE INSTALLED TO PROVIDE ACCESS TO AND FROM THE S. TRYON STREET STREETSCAPE, AND IF THE DILIGENT LEASING EFFORTS ARE UNSUCCESSFUL AS DESCRIBED ABOVE IN SECTION 3.C. A MINIMUM OF ONE DOOR SHALL BE INSTALLED BUT IT SHALL BE NOT REQUIRED TO PROVIDE ACCESS TO THE ACTIVE USES ASSOCIATED WITH THE ACTIVITIES OF THE OFFICE TENANT(S) WITHIN THE BUILDING.

d. THE PORTION OF THE BUILDING LOCATED AT OR NEAR THE CORNER OF S. TRYON STREET AND CAMDEN ROAD AND USED AS INTERIOR LOBBY SPACE FOR THE OFFICE USES SHALL CONTAIN A MINIMUM OF ONE DOOR ALONG THE S. TRYON SIDE, BUT SUCH DOOR SHALL NOT BE REQUIRED TO PROVIDE ACCESS TO THE GENERAL PUBLIC.

e. IT IS ACKNOWLEDGED THAT THE SITE FALLS IN GRADE FROM THE CORNER LOCATED AT THE INTERSECTION OF S. TRYON STREET AND CAMDEN ROAD. SUBJECT TO THE OVERRIDING IMPORTANCE IN RESPONDING TO THE LEASING AND MARKETING NEEDS OF TENANTS, THE LINEAR BUILDING AND STREETSCAPE EDGE ALONG CAMDEN ROAD SHALL BE DESIGNED TO PROVIDE FOR (I) 3 ENTRANCES INTO TENANT SPACE FROM THE CAMDEN ROAD STREETSCAPE (IN ADDITION TO A MINIMUM OF 2 ENTRANCES INTO TENANT SPACE WITHIN THE CAMDEN ROAD COURTYARD SPACE GENERALLY DEPICTED ON SHEET RZ-6 AND SHEET RZ-15). TWO OF SUCH ENTRANCE DOORS SHALL BE LOCATED IN THE TENANT SPACE AREA LOCATED TO THE SOUTH OF THE COURTYARD SPACE AND THE OTHER SUCH ENTRANCE DOOR LOCATED TO THE NORTH OF THE COURTYARD SPACE. FURTHERMORE, SUBJECT TO THE OVERRIDING IMPORTANCE IN RESPONDING TO LEASING AND MARKETING NEEDS OF TENANTS, PETITIONER SHALL USE DILIGENT GOOD FAITH EFFORTS TO ENSURE THAT THE DIFFERENCE BETWEEN FINISHED FLOOR ELEVATION AND THE ADJACENT HARDSCAPE ALONG CAMDEN ROAD SHALL BE NO GREATER THAN TWENTY-FOUR INCH (24").

f. THE CAMDEN ROAD COURTYARD SPACE GENERALLY DEPICTED ON SHEET RZ-6 AND SHEET RZ-15 AND OTHER PORTIONS OF THE REZONING PLAN SHALL CONTAIN A MINIMUM OF 2 ENTRANCE DOORS INTO TENANT SPACE TO AND FROM SUCH COURTYARD, AND STOREFRONT FEATURES WITHIN SUCH AREAS SHALL BE COMPARABLE TO THE SIZE AND DESIGN OF SUCH STOREFRONT FEATURES LOCATED ALONG CAMDEN AS GENERALLY DEPICTED ON SHEET RZ-7.

g. THE PORTION OF THE S. TRYON STREET BUILDING ELEVATION (SEE GENERALLY DEPICTED ON SHEET RZ-8) LOCATED BETWEEN STOREFRONT FEATURES SHALL INCLUDE AT A MINIMUM THE WOOD SCREEN PANEL FEATURES SHOWN THEREON, BUT PETITIONER SHALL CONSIDER OTHER DECORATIVE FEATURES IN LIEU OF OR IN ADDITION TO SUCH WOOD SCREEN PANEL FEATURES AND SHALL ENSURE THAT THE ELEVATION OF THE GROUND PLANE SHALL BE DIFFERENTIATED FROM THE UPPER PORTIONS OF SUCH ELEVATION TO CREATE INCREASED VISUAL INTEREST AT THE GROUND PLANE LEVEL.

h. SHEET RZ-3 SETS FORTH A POTENTIAL FESTIVAL STREET DESIGN FOR THE PORTION OF CAMDEN ROAD LOCATED ON OR ALONGSIDE THE SITE. TO THE EXTENT FEASIBLE, PETITIONER SHALL USE DILIGENT EFFORTS TO INSTALL THE FEATURES SHOWN ON SHEET RZ-3, SUBJECT TO THE RECEIPT OF APPLICABLE REGULATORY APPROVALS FROM CDOT AND ANY OTHER REGULATORY BODIES (PROVIDED, HOWEVER, PETITIONER SHALL ONLY BE REQUIRED TO EXERCISE DILIGENT EFFORTS TO OBTAIN SUCH APPROVALS BUT NOT AT THE RISK OF DELAY TO THE PROJECT DELIVERY TIMELINE). PETITIONER SHALL HAVE SPECIFIC APPROVAL RIGHTS AS TO THE NATURE OF ANY PEDESTRIAN SAFETY DEVICES SUCH AS BOLLARDS AND THE LIKE LOCATED ON THE SITE.

i. THE NARROW PLANTING STRIP AREA BETWEEN THE BACK OF THE PARK AVENUE SIDEWALK AND THE BUILDING FACE AS GENERALLY DEPICTED ON SHEET RZ-9 SHALL NOT BE INSTALLED AND INSTEAD THE SIDEWALK AREA WILL BE FLUSH WITH THE BUILDING EDGE.

7. SIGNAGE:

a. SIGNAGE AS ALLOWED BY THE ORDINANCE AND BY THE OPTIONAL PROVISIONS LISTED ABOVE MAY BE PROVIDED IN ADDITION TO THE SIGNAGE OTHERWISE ALLOWED IN THIS SECTION.

8. LIGHTING:

a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.

b. DETACHED LIGHTING ON THE SITE, EXCEPT DECORATIVE LIGHTING OR ART WORK THAT UTILIZES LIGHTING ELEMENTS WHEN LOCATED IN THE PUBLIC OPEN SPACE AREAS AND STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 20 FEET IN HEIGHT.

9. AMENDMENTS TO THE REZONING PLAN:

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

10. BINDING EFFECT OF THE REZONING APPLICATION:

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

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JAN 19 2016

RZ-2

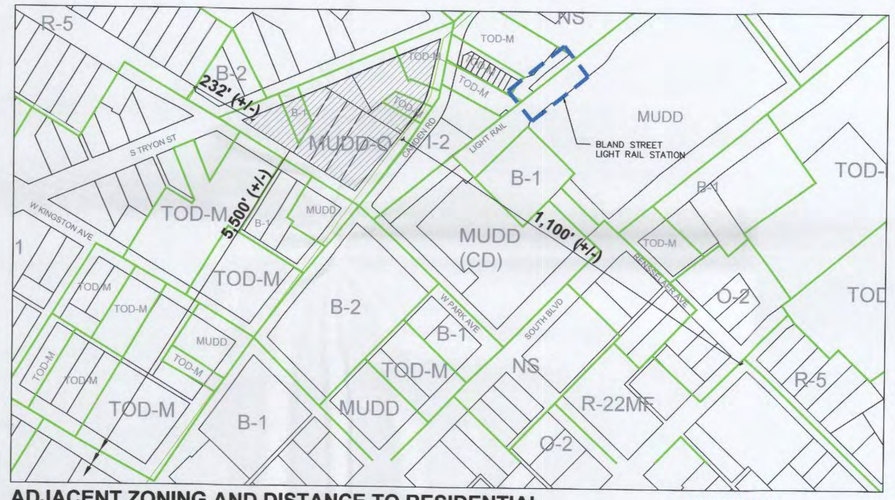
PET#2015-128

PROPOSED BUILDING FOOTPRINT AND DISTANCE TO RESIDENTIAL ZONING

DESCRIPTION OF BUILDING HEIGHT **

AREA	WEST PARK AVERAGE GRADE (FEET)	DISTANCE FROM RESIDENTIAL ZONING (LINEAR FEET)	BUILDING ELEVATION (FEET)	ALLOWABLE HEIGHT DUE TO RESIDENTIAL ZONING (FEET)	OPTIONAL HEIGHT REQUESTED ABOVE TOD HEIGHT PLANE (FEET)	VARIANCE REQUESTED ABOVE TOD MAX. BUILDING HEIGHT (FEET)	APPROX/ESTIMATED TOTAL BUILDING HEIGHT ABOVE WEST PARK AVERAGE GRADE (FEET)
A	733	232	796	63	0	0	63
B	733	318	816	71	12	0	83
C	733	318	889	71	85	36	156
D	733	415	799	81	0	0	66
E	733	468	796	86	0	0	63

** SEE DEVELOPMENT STANDARDS ON RZ-2 FOR FURTHER PROVISIONS REGARDING CALCULATION OF HEIGHT.



ADJACENT ZONING AND DISTANCE TO RESIDENTIAL

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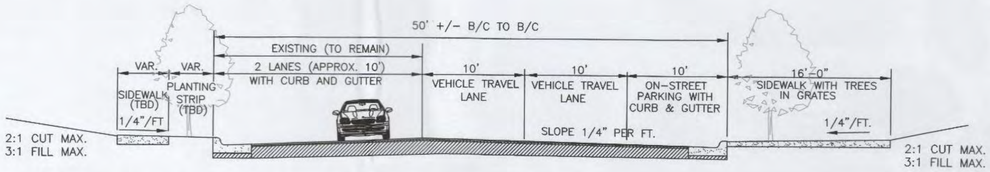
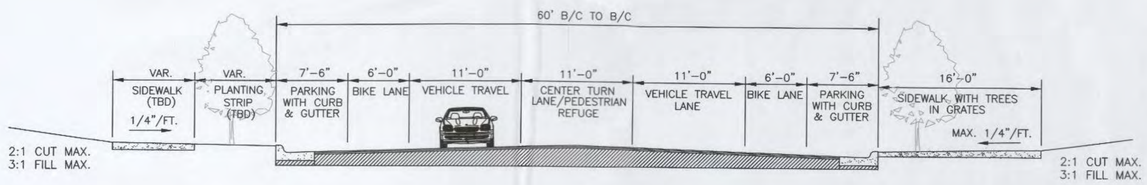
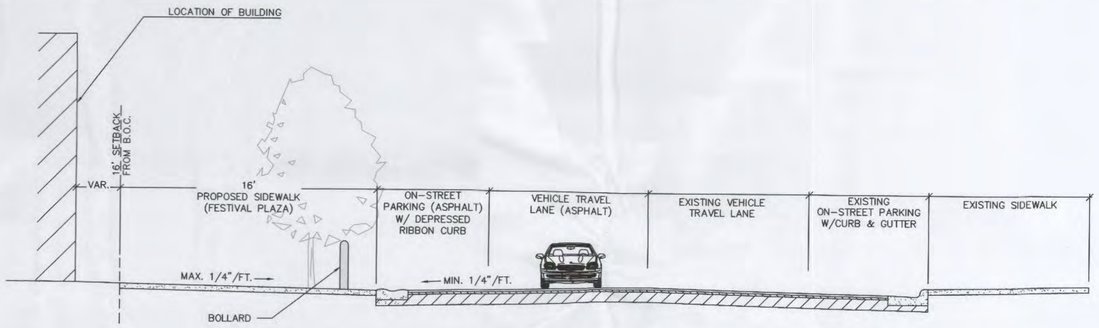
JAN 19 2016



1 **PROPOSED S. TRYON STREET SECTION (INTERIM CONDITION)**
NOTE: PROPOSED SECTION SUBJECT TO NCDOT APPROVAL
PROPOSED ASPHALT PAVEMENT SECTIONS BASED ON NCDOT REQUIREMENTS



2 **PROPOSED S. TRYON STREET SECTION - FUTURE CONDITION PER SMALL AREA PLAN**
NOTE: PROPOSED SECTION SUBJECT TO NCDOT APPROVAL
PROPOSED ASPHALT PAVEMENT SECTIONS BASED ON NCDOT REQUIREMENTS



3 **PROPOSED FESTIVAL STREET SECTION ALONG CAMDEN ROAD (AS FEASIBLE)** N.T.S.
NOTE: PROPOSED SECTION SUBJECT TO CDOT APPROVAL
ASPHALT PAVEMENT SECTIONS BASED ON CDOT REQUIREMENTS

RZ-3

PET#2015-128

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DIMENSIONAL PLACE - CHARLOTTE, NC

Issued: 09/09/2015
Revised: 11/13/2015
Revised: 12/23/2015

Cousins

UPDATED DIAGRAM - 3 Corners / 3 Places

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JAN 19 2016

NOTE: This is an illustrative/conceptual rendering of the proposed open space area associated with the development. The exact dimensions and configuration are subject to minor deviation and changing during the design development that do not materially change the design intent.

N

RZ-4

PET#2015-128

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DIMENSIONAL PLACE - CHARLOTTE, NC

Issued: 10/05/2015
Revised: 11/13/2015
Revised: 12/23/2015

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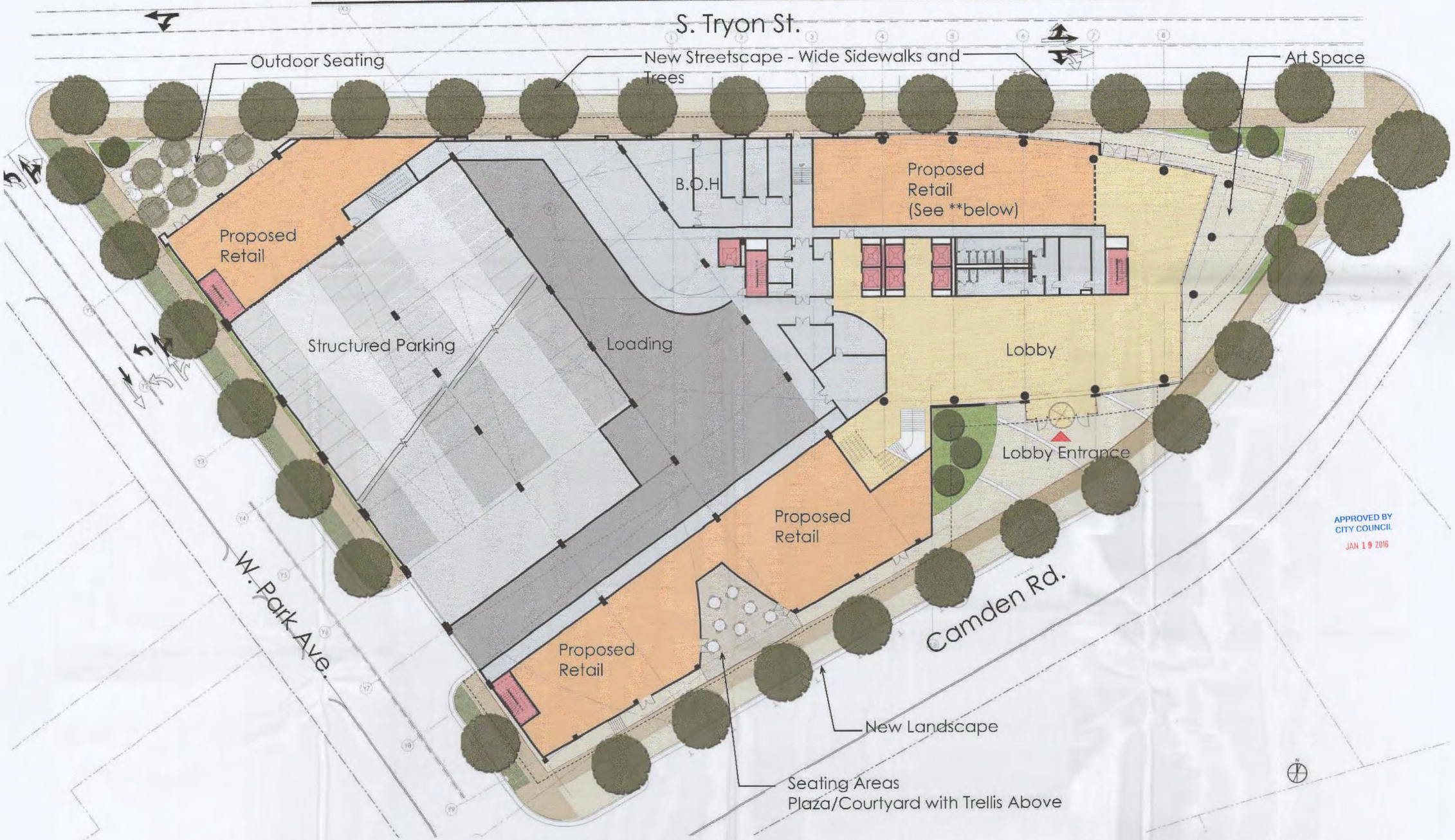
UPDATED SITE PLAN - GROUND FLOOR USES



NOTE: This is an illustrative/conceptual rendering of the proposed ground floor uses and elements. The exact dimensions and configuration are subject to minor deviation and changing during the design development that do not materially change the design intent. Reference to "Proposed Retail" uses include retail, restaurant and/or personal services uses.

** NOTE: Reference is made to Section 3.C. of sheet RZ-2 (Development Standards) for Tryon Space Leasing Commitment.

RZ-5

PET#2015-128

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DIMENSIONAL PLACE - CHARLOTTE, NC

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Revised: 12/23/2015

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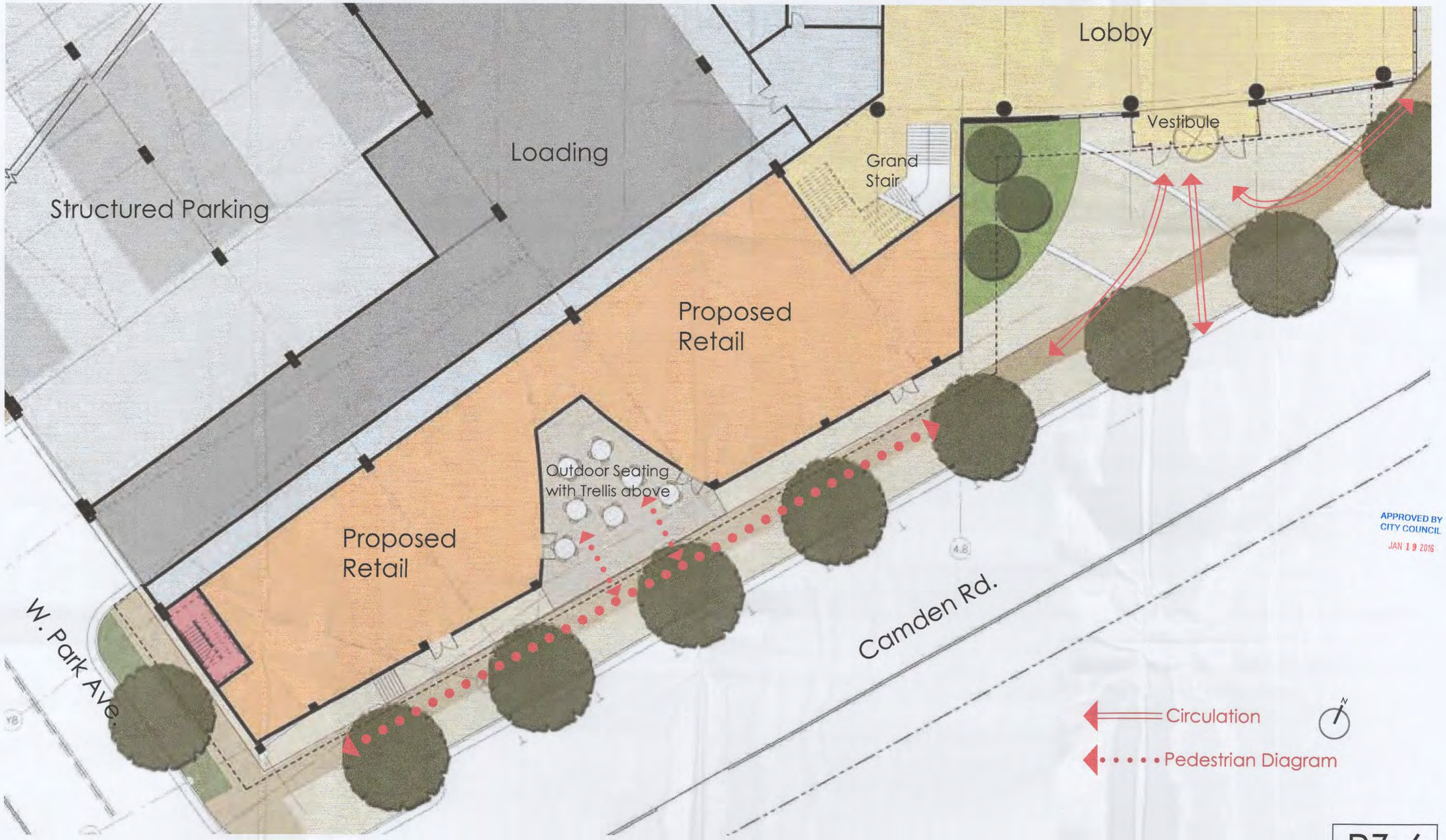

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JAN 19 2016

NOTE: This is an illustrative/conceptual rendering of the proposed lobby access and related areas along Camden Road. The exact dimensions and configuration are subject to minor deviation and changing during the design development that do not materially change the design intent. References to "Proposed Retail" uses include retail, restaurant and/or personal services uses.

RZ-6

PET#2015-128

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DIMENSIONAL PLACE - CHARLOTTE, NC

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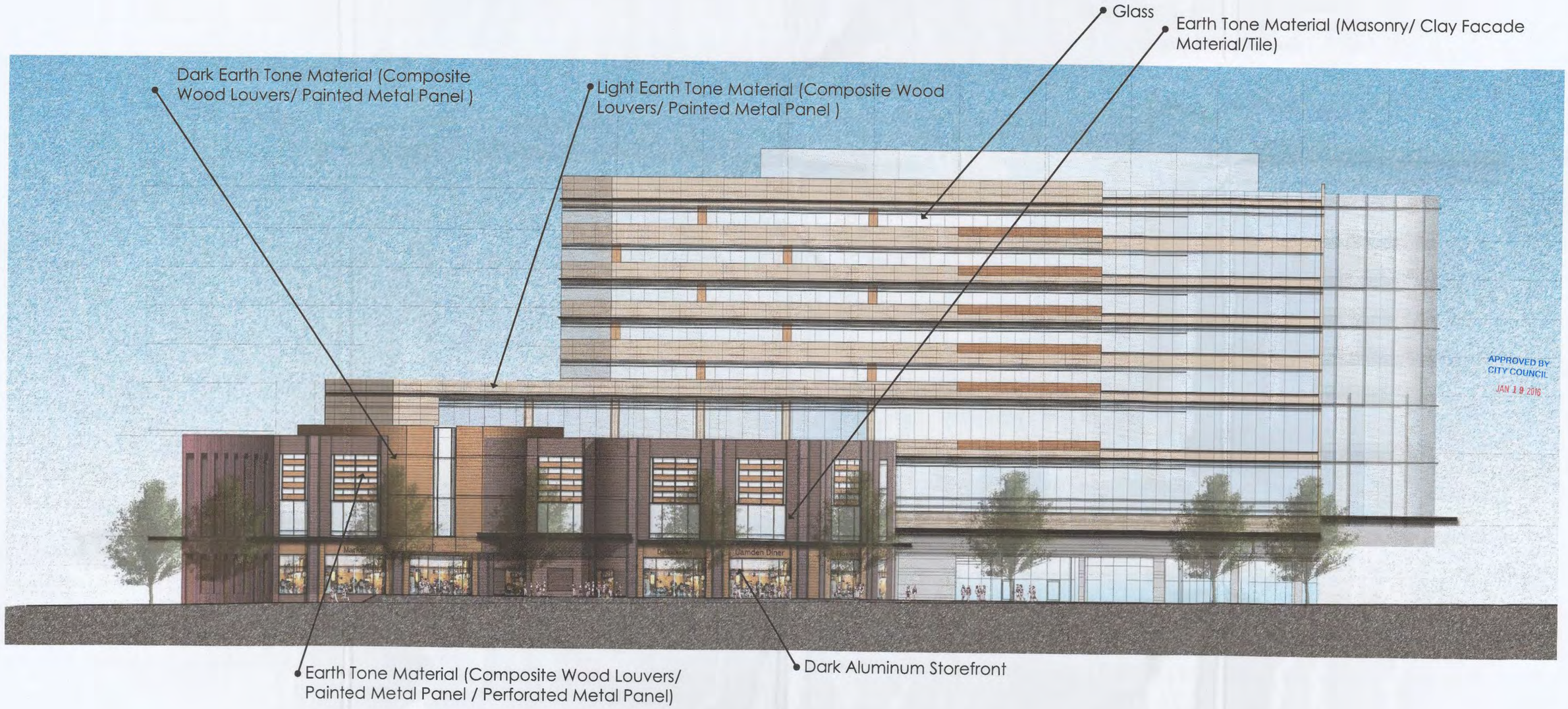
UPDATED CAMDEN ELEVATION



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NOTE: This is an illustrative/conceptual rendering of the elevation of a portion of the building located along Camden Road. This reflects the overall design intent and the type of building materials contemplated. Minor changes and deviations may occur during the design development that do not materially change the design intent.

RZ-7

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Issued: 10/05/2015
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Revised: 12/23/2015

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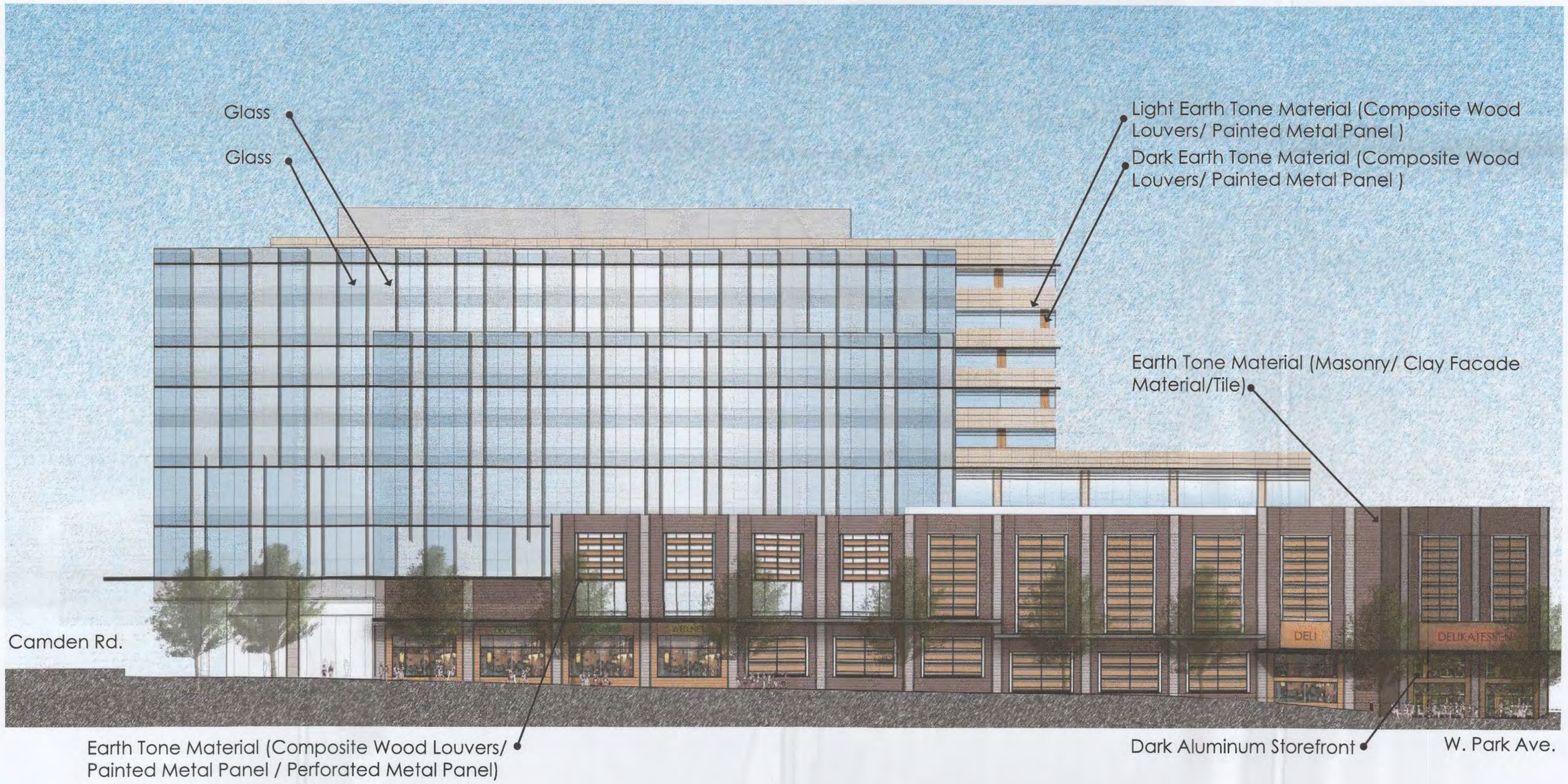
UPDATED TRYON ELEVATION



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NOTE: This is an illustrative/conceptual rendering of the elevation of a portion of the building located along Tryon Street. This reflects the overall design intent and the type of building materials contemplated. Minor changes and deviations may occur during the design development that do not materially change the design intent.

RZ-8

PET#2015-

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DIMENSIONAL PLACE - CHARLOTTE, NC

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Revised: 12/23/2015

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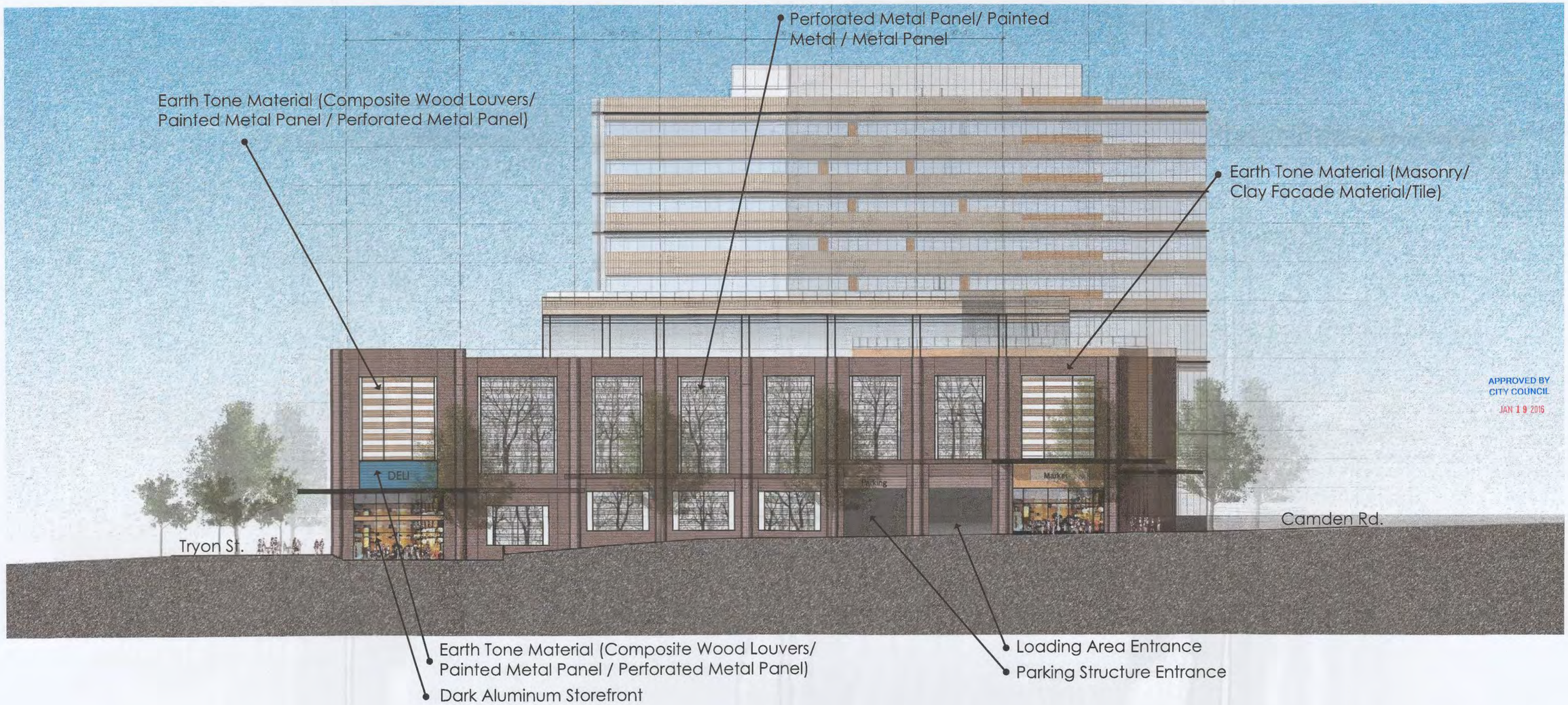
UPDATED PARK ELEVATION



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NOTE: This is an illustrative/conceptual rendering of the elevation of a portion of the building located along West Park Avenue. This reflects the overall design intent and the type of building materials contemplated. Minor changes and deviations may occur during the design development that do not materially change the design intent.

RZ-9

PET#2015-128

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DIMENSIONAL PLACE - CHARLOTTE, NC

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CONCEPTUAL BAY ELEVATION

Sample Material Palette

Masonry

Clay Tile

Composite Wood

Sample Material Palette

Composite Wood Louvers

Painted metal panels

Dark Aluminum Storefront

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NOTE: This is an illustrative/conceptual rendering of a typical bay elevation including illustrations of sample material palette contemplated. Minor changes and deviations may occur during the design development that do not materially change the design intent.

RZ-10

PET#2015-128

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DIMENSIONAL PLACE - CHARLOTTE, NC

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Revised: 12/23/2015

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CONCEPTUAL BAY ELEVATION/SECTION

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NOTE: This is an illustrative/conceptual rendering of a typical bay elevation and section reflecting activity contemplated within a portion of the building. Minor changes and deviations may occur during the design development that do not materially change the design intent. It is noted that only a portion of the building contains these activity elements.

RZ-11

PET#2015-128

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DIMENSIONAL PLACE - CHARLOTTE, NC

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Revised: 12/23/2015

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ART PLAZA PERSPECTIVE

(S. Tryon St. + Camden Rd.)

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NOTE: This is an illustrative/conceptual rendering of a perspective of the building at the corner of Camden Road and S. Tryon Street. This is conceptual and subject to minor deviations and changes which may occur during design development that do not materially change the design intent. A few street trees are intentionally not showing in this rendering to better see the proposed building.

RZ-12

PET#2015-128

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DIMENSIONAL PLACE - CHARLOTTE, NC

Issued: 11/13/2015
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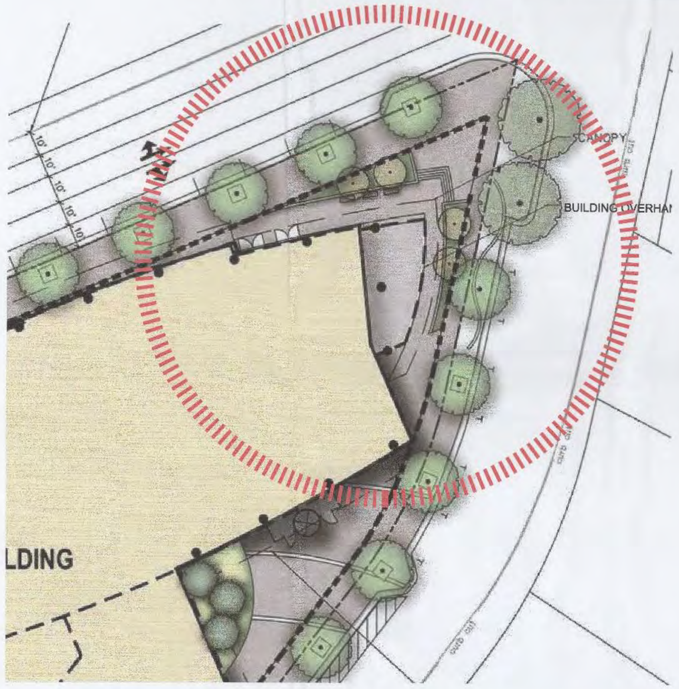
ART PLAZA - Tryon & Camden



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JAN 19 2016

NOTE: This is an illustrative/conceptual perspective related to the "Art Plaza" at Tryon & Camden. The images are not intended to represent the architectural style, the specific open space elements (interior or exterior), nor the nature of the art that is contemplated for this area, all of which will be developed by the Petitioner during design/development.

RZ-13

PET#2015-128

DUDA | PAINE ARCHITECTS

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DIMENSIONAL PLACE - CHARLOTTE, NC

Issued: 11/13/2015
Revised: 12/23/2015

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LANDING SPOT PERSPECTIVE

(S. Tryon St. + W. Park Ave.)

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NOTE: This is an illustrative/conceptual rendering of a perspective of the building at the corner of S. Tryon Street and W. Park Ave. This is conceptual and subject to minor deviations and changes which may occur during design development that do not materially change the design intent. A few street trees are intentionally not showing in this rendering to better see the proposed building.

RZ-14

PET#2015-128

DUDA | PAINE ARCHITECTS

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DIMENSIONAL PLACE - CHARLOTTE, NC

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Revised: 12/23/2015

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FESTIVAL SQUARE PERSPECTIVE

(Camden Rd.)

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JAN 19 2016

NOTE: This is an illustrative/conceptual rendering of a perspective of the building from Camden Rd. This is conceptual and subject to minor deviations and changes which may occur during design development that do not materially change the design intent. A few street trees are intentionally not showing in this rendering to better see the proposed building.

RZ-15

PET#2015-128

DUDA | PAINE ARCHITECTS

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DIMENSIONAL PLACE - CHARLOTTE, NC

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